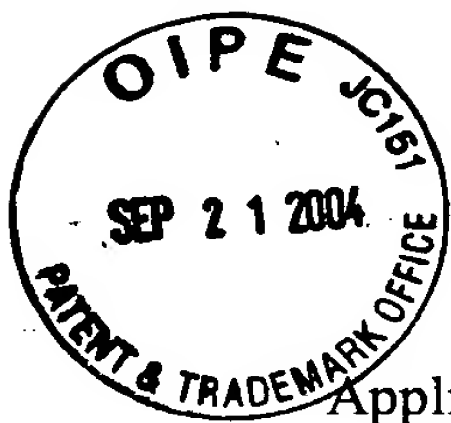


9/23/04

Attorney's Docket No.: 17105-021001 / 0057

1614
BKW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : J. Chen
Serial No. : 09/905,777
Filed : July 13, 2001
Conf. No. : 5768
Title : NONINVASIVE VASCULAR THERAPY

Art Unit : 1614
Examiner : Brian Kwon
Customer No.: 20985

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

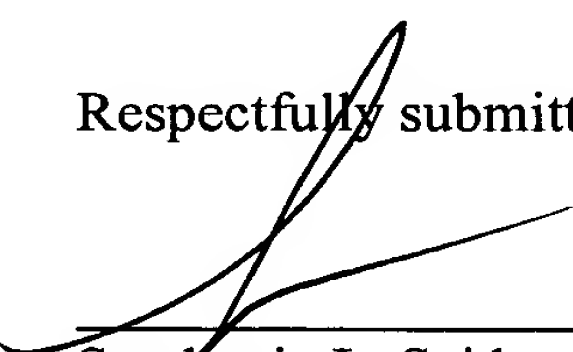
TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are an Supplemental Information Disclosure Statement and Forms PTO-1449 (1 page) and cited reference for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

- ☒ The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,


Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No. 17105-021001 / 0057
Address all correspondence to:
Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
email: seidman@fr.com

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EV 399294938 US
Date of Deposit **September 21, 2004**
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.


Stephanie L. Seidman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : J. Chen
Serial No. : 09/905,777
Filed : July 13, 2001
Conf. No. : 5768
Title : NONINVASIVE VASCULAR THERAPY

Art Unit : 1614
Examiner : Brian Kwon
Customer No.: 20985

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and a copy of the cited reference are provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EV 399294938 US
Date of Deposit **September 21, 2004**
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman

Applicant : J. Chen
Serial No. : 09/905,777
Filed : July 13, 2001
Supplemental Information Disclosure Statement
Page : 2 of 2

Attorney's Docket No.: 17105-021001 / 0057

Further to the list provided in the communication filed on July 20, 2004, Applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/or are commonly owned:

<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Docket No.</u>
10/899,834	7/26/2004	021002 / 0057B

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No. 17105-021001 / 0057

Address all correspondence to:

Stephanie L. Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (202) 626-7796
email: seidman@fr.com

Substitute Form PTO-1449 (Modified) SEP 21 2004 U.S. Department of Commerce Patent and Trademark Office List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))	Attorney's Docket No. 17105-021001 / 0057	Application No. 09/905,777
	Applicant J. Chen	
	Filing Date July 13, 2001	Group Art Unit 1614

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AA	Mackie, et al., "In vivo canine coronary artery laser irradiation: photodynamic therapy using dihematoporphyrin ether and 632 nm laser. A safety and dose-response relationship study" <u>Lasers Surg Med</u> 11:535-544 (1991)

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	